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11/19/2010

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 MAURICE DESHAWN HODGE,)
)
 Defendant.)

No. CR-10-00320 JW

**MOTION TO DISMISS, AS TO
 DEFENDANT HODGE ONLY, COUNTS
 TO WHICH HE DID NOT PLEAD
 GUILTY PURSUANT TO PLEA
 AGREEMENT**

On November 10, 2010, defendant MAURICE DESHAWN HODGE pled guilty,
 pursuant to a written plea agreement, to Count Two of the Superseding Indictment, which
 charged Possession with Intent to Distribute Cocaine Base in violation of 21 U.S.C. §§
 841(a)(1) and 841(b)(1)(C), and Count Six, which charged Conspiracy to Retaliate Against a
 Witness in violation of 18 U.S.C. § 1513(f) and 1513(b)(2).

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MOTION TO DISMISS, AS TO DEFENDANT HODGE, COUNTS TO WHICH HE DID NOT PLEAD GUILTY
 CR-10-00320 JW

1 Defendant HODGE was then sentenced, at his request, by the court. The government
2 hereby moves to dismiss, as to defendant HODGE only, the remaining counts of the
3 Superseding Indictment: Counts One and Four, charging Felon in Possession of Firearm and
4 Ammunition in violation of 18 U.S.C. § 922(g)(1); Count Three, charging Possession of a
5 Firearm in Furtherance of a Drug Trafficking Crime, in violation of 18 U.S.C. 924(c); and Count
6 Five, charging Conspiracy and Attempt to Tamper With Witness; 18 U.S.C. §1512(k)
7 1512(a)(2)(C), 1512(b)(3).

8
9 Respectfully submitted,

10 DATED: November 18, 2010.
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14 MELINDA HAAG
15 United States Attorney

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17 /s/
THOMAS O'CONNELL
18 DANIEL R. KALEBA
Assistant United States Attorney
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